

Lambda Letters Project

32622

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July, 2000

www.lambdaletters.org

LambdaLP@aol.com

(916) 965-6851

History Speaks. Listen To It.

Lavender Library, Archives
and Cultural Exchange
Sacramento, CA

by Boyce Hinman, Administrator

The greatest political figures in this nation's history have been those who persuaded us to do the things we'd rather not do. George Washington dragged a barely consenting army through several years of the Revolutionary War to gain our freedom. In one of President Kennedy's most famous speeches he said, "Ask not what your country can do for you. Ask instead what you can do for your country."

Unfortunately, that kind of political leader is in very short supply these days. Today's leaders govern by opinion poll, not by what's best for the country, and not by what's most in tune with the nation's highest ideals.

On the other hand, some of the greatest moments in our history occurred when the persistent efforts of very ordinary people made our political leaders do what they would rather not do. For example, the modern civil rights movement began when Rosa Parks refused to move to the back of the bus. That led to a groundswell of protest among blacks and other supportive people, and inspired by Dr. Martin Luther King.

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Dem's Ditch Disabled

In a strange turn of events, California's Democrats are trying to undermine the Americans With Disabilities Act (ADA), a federal law that requires employers and others to make reasonable accommodations for the disabled. Ironically, the Democrats were the driving force behind passage of the ADA.

Recently, some disabled persons sued California, claiming the state violates the ADA when it requires them to pay a \$6 fee every two years for the special placards they display in their cars. The disabled plaintiffs won in a federal appeals court. However, Governor Davis has appealed to the US Supreme Court. His appeal claims that state and local governments aren't subject to the law. If Davis wins it will leave a gaping hole in the ADA.

In related news, David Demshki claims he was fired from Senator Dick Monteith (R-Modesto)'s staff in 1994 for warning the senator that his refusal to hire a person with a stuttering problem might violate the ADA. Later the Federal Equal Employment Opportunity Commission ruled that there is reasonable cause to believe that Demshki's firing was the result of his ADA warning. When Demshki sued, the Democratic-controlled Senate responded by saying the legislature is not subject to the ADA.

Who needs enemies when we have such friends?

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Lambda Letters Progress Report

Messages Collected

May, 2000	22,389 letters & e-mails
In all of 2000	67,151 letters & e-mails

Dollars Spent

May, 2000	\$2,237
In all of 2000	\$8,549

Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

Lambda Letters Project

Mission Statement

To promote people of color, feminist, lesbian, gay, bisexual, transgender, and HIV/AIDS status advocacy, and to bring people of color, women, lesbians, gays, bisexuals, transgendered persons, and persons affected by or living with HIV/AIDS into full participation in the mainstream of American society now, exercising all the privileges and responsibilities thereof.

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Ken Kohler, Modesto, (209) 529-3368, kenauthor@aol.com

Staff

Administrator: Boyce Hinman, (916) 965-6851, lambdalp@aol.com

Newsletter Editor: Stefan Grünwedel, (650) 688-2466, s-t-e-f-a-n@rocketmail.com

Legislative Analyst, Lesbian/Gay/Bisexual/Transgender Issues: Christopher Calhoun, (916) 965-6851, lambdalp@aol.com

Legislative Analyst, HIV/AIDS Status Issues: Marty Martinez, (415) 255-9191, mmarr10ez@aol.com

Legislative Analyst, People of Color Issues: Marty Martinez, (415) 255-9191, mmarr10ez@aol.com

Legislative Analyst, Women's Issues: Adrienne Lauby (adrienne@metro.net)

Database Manager: Charles Penn, (916) 663-4951, cpenn@foothill.net

Webmaster: Lynn Dobbs, San Diego (619) 275-5343,

webmaster@lambdaletters.org

E-mail Alert Advocate, Federal AIDS Issues: Joe Heller, (520) 762-9787, jrheller@dakotacom.net

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If so, you may register a complaint with the Department of Fair Employment and Housing. In cases of employment discrimination, call the department at (800) 884-1684. In cases of housing discrimination, call (800) 233-3212.

The person answering the phone will schedule an appointment for you at the Department of Fair Employment and Housing Office which is closest to your home or place of employment.

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Help the Staggering Number of 'AIDS Orphans' in Africa

by Marty Martinez, AIDS Project East Bay

The HIV/AIDS epidemic in Africa—where it is difficult to imagine the poverty, poor nutrition, lack of access to health care and medication, and lack of awareness and discussion of HIV—continues to take lives in staggering numbers. According to S 2030, also known as the AIDS Orphans Relief Act of 2000, by the end of this year, 10.4 million children in Sub-Saharan Africa will have lost their mother or both parents to AIDS. In the next decade, 40 million children will become orphans as a result of the AIDS pandemic, most of them located in Sub-Saharan Africa.

This crisis in Africa demands immediate action. S 2030, introduced by Senator Richard J. Durbin (D-Illinois) and co-sponsored by Sen. John Kerry (D-Massachusetts), will attempt to make a small dent in the problem by helping low-income persons in Africa receive access to loans and credit which could be used toward medical bills and health access. It also provides resources for food and nutritional assistance to African communities strongly impacted by HIV and AIDS. The bill appropriates \$100 million for these purposes—not very much, considering the scale of the epidemic, but a start. The companion bill in the House of Representatives, sponsored by Representative Jesse L. Jackson, Jr. (D-Chicago), is H.R. 4039.

Please let Senator Jesse Helms (R-North Carolina), chair of the Senate Foreign Relations Committee, know that you want SB 2030 passed swiftly.

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VICKI PFIENGST

9978 FOLSOM BLVD.
SACRAMENTO, CA 95827

(916) 362-1166
(Pgr) 981-5070

Hate Crimes Legislation Passes Senate

by Boyce Hinman

In mid-June, the US Senate passed an historic bill to make hate crimes based upon the victim's gender, sexual orientation, or disability a federal crime. The bill, S 622, was introduced by Senator Edward Kennedy (D-MA). It was passed as an amendment to the Department of Defense Appropriations bill.

Now we need to get the House of Representatives to pass a House version of the bill. This month we ask you to write to your member of the House of Representatives in support of this legislation.

Hate crimes are the scourge of this nation and hate crimes against the LGBT community often receive scant attention from local and state law enforcement organizations. This lack of attention results sometimes from lack of police resources and sometimes from outright bigotry on the part of local and state police personnel. Federal authorities must have the right to intervene when local and state police forces refuse or are unable to do an effective job in combating sexual orientation-based hate crimes. That is exactly what S 622 would make possible.

The problem is getting worse, too. The California Department of Justice has issued three annual reports on hate crimes in our state, covering the years 1996–98. According to the reports, the total number of hate crimes reported went from 2,054 in 1996 to 1,750 in 1998. That's a drop of 15 percent. During that same time, reported sexual orientation-based hate crimes in California increased by 7 percent from 362 in 1996 to 387 in 1998. Very likely the same trends are happening nationally.

We need federal legislation to crack down on hate crimes motivated by homophobia. Please write to your Representative to pass the necessary legislation.

###

Don't Know Who Represents You?

Send your request with a stamped, self-addressed envelope and we'll send you a complete list of your elected officials. Or go to www.lambdaleters.org to find out who represents you.

Students Learn in Their Communities

by *Adrienne Lauby*

It is a quiet morning. Water runs through a ditch behind an enormous warehouse and gulls circle above the aromatic mud. The warehouse bays are empty. The parking lot is cracked and buckled. Once this was a bustling industrial center. Now it's abandoned, an itch under the suits of the city planners, a symbol of dreams destroyed, a trash magnet. But wait...

A small school bus drives across the parking lot and pulls behind the building. The doors open and twenty children spread out beside the trickling water. One team gathers the trash that has blown in since their last visit and another stoops to take water samples, while a third unloads a flat of native plants donated by a local nursery. A teacher helps a child dig a rusty hunk of metal from the muddy bed as other adults encourage and direct the children's effort.

What's going on here? The study of science, civics, economics, self-esteem building, and problem-solving—all possible topics in what academic jargon calls "service learning."

AB 1911, authored by Herb Wesson (D-Los Angeles), supports this kind of experience by strongly encouraging high school districts to offer courses that include service learning, and to grant credit for these courses towards graduation requirements.

Service learning differs from the traditional field trip in its degree of integration with other curricula. The students at the creek this morning may analyze their water samples in a laboratory this afternoon. Others may work on a project to raise money for creek restoration, or write letters encouraging the city to take part in their clean-up effort.

Research shows that students engaged in service learning have higher academic achievement and a greater sense of responsibility for their communities. They are less likely to drop out, have discipline problems, or miss school days. In a complementary effect, community members also improve their attitudes toward their schools and their youth.

In the last fifteen years, the number of students engaged in service learning in the U.S. has expanded 3,600 percent. This incredible increase is due to the

Racial Profiling Again

by *Marty Martinez*

In the past, Lambda Letters Project has urged you to write letters on behalf of legislation or executive orders to end the practice of racial profiling—the practice of routinely stopping persons for traffic violations, or car or personal searches based solely on the basis of a person's race. Racial profiling acts under the "assumption" that a person is more likely to be a criminal if they fit the "profile" of a criminal, which usually means that they are a person of color.

What should be a simple issue to resolve (namely, that racial profiling is wrong) has proved a nearly intractable issue, especially in California where Governor Gray Davis in May urged Senator Kevin Murray (D-Los Angeles) to drop his bill, SB 1389, which would have required state and local police forces to report the race or ethnicity of all people stopped for traffic violations in order to prove finally that people of color are indeed stopped at an unacceptable rate.

After the death of his bill, Senator Murray came back with a watered-down provision that is contained in SB 66. This bill outlaws racial profiling and requires police to receive training on how to avoid the practice. In addition, the bill requires a police officer to provide his or her business card to people stopped for alleged traffic violations. Importantly, the bill requires the card be given whether it is asked for or not. This is important because many people of color are reluctant to oppose discriminatory conduct by the police for fear of making the incident even more painful.

Please write in support of this bill. ###

demonstrated success and the relative low cost. A scouting program costs between \$16–19 per child; 4-H programs cost \$90 per child; but the cost of service learning averages only \$5.50.

Service learning programs, like most other curriculum enrichments, are more available to white children than black or brown students. AB 1911 requires *all* districts to adopt policies and guidelines that favor service learning. The Department of Education will gather the statistics and report back to the legislature. Soon, we will have a tool to ensure that every student has the opportunity for service learning. ###

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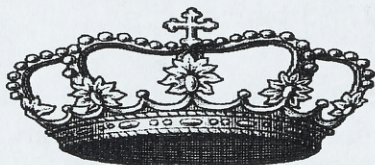
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July Legislative Update

The following is a list of important state bills that we are aware of at this time. All bills had to be approved by their house of origin no later than June 2nd. All bills beginning with "AB" had to be approved by the State Assembly by that date and all bills beginning with "SB" had to be approved by the Senate no later than June 2nd. Bills that missed that deadline are now dead.

AB 2047 is an exception to that rule. A new state budget expenditure was added to that bill on the floor of the Assembly. Then the bill was sent back to the Assembly Appropriations Committee for consideration of that expenditure. At the same time, the bill was exempted from the June 2nd deadline.

There is another important deadline coming up. All bills that made it out of their house of origin on time are voted on in two committees in the second house: a policy committee and an appropriations committee. These bills must be approved by the second house's policy committee no later than July 7th. (Any bills that do not incur costs for state or local governments are exempted from votes in the Appropriations Committee.)

Here are the definitions of three, perhaps unfamiliar terms or phrases you will find in the following list of bills:

- ♦ **The consent calendar:** This is a list of bills that legislators expect everyone to approve of. To save time the bills are voted on as a group, rather than one by one. At the time of the vote, any one legislator can have a particular bill removed from the list for a separate vote.
- ♦ **The suspense file:** This is a list of bills that will be voted on individually, but at a later date. Often appropriations committees will put off votes in this way on expensive bills.
- ♦ **Reconsideration granted:** Sometimes when a bill is defeated in a committee vote, the committee will

also vote to reconsider the bill at a later date. In theory, however, the bill must be revoted on prior to the deadlines outlined above.

HIV/AIDS Issues

AB 16 (Mike Honda, D-San Jose)

Purpose: Under current law the state and counties split the costs of providing publicly funded in-home supportive services for aged blind and disabled persons. However, if the counties or the agencies they contract with to provide the services grant a pay raise to the workers providing the care, the counties must foot the whole cost of the raise. This bill changes the law to say that even these pay raises will be funded equally by the state and the counties.

Status: Passed by the Assembly. Is a two-year bill in the Senate Appropriations Committee suspense file. Probably will not be voted on by the committee till June.

LLP Position: Support.

AB 142 (Kevin Shelley, D-San Francisco)

Purpose: To set rules and procedures for appeals to the Department of Corporations by health care clients complaining of poor health care by their provider. Allows people to appeal to the state in 30 days in cases involving a serious health threat and in less than 30 days in cases of severe pain.

Status: Approved by the Assembly. Is a two-year bill in the Senate Appropriations Committee suspense file. Will not be voted on by the committee till September 3rd.

LLP Position: Support.

AB 499 (Dion Aroner, D-Berkeley)

Purpose: To require the state Department of Health Services to establish a pilot program to test the effectiveness of providing an assisted living benefit to low-income beneficiaries, including those with AIDS, under the Medi-Cal program.

Status: Approved by the Assembly and sent to the Senate. Assigned to the Senate Health and Human Services Committee for a vote on June 28th.

LLP Position: Support

AB 591 (Howard Wayne, D-San Diego)

Purpose: To require health care service plans and certain disability insurers to cover routine patient costs

MELINDA M. WHITEWAY
Attorney and Counselor at Law

Whiteway Law Offices

1966 Tice Valley Boulevard
Suite 241
Walnut Creek, CA 94595
Phone: 925-932-5333
E-mail: MelindaMW@aol.com
<http://firms.findlaw.com/melindamw/>

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related to treatment in a clinical trial of experimental medications.

Status: Is in the Senate Appropriations Committee. Will be heard on September 3rd.

LLP Position: Support.

AB 1722 (Martin Gallegos, D—City of Industry)

Purpose: Previously passed legislation says that health care service plans can't stop covering a medication for a patient while the patient is under treatment for a particular ailment for which that drug has been prescribed. This legislation adds that the health care provider cannot increase the co-payment or other deductible for the medication during the course of treatment of a disease for which the medication has been prescribed until the end of the enrollee's contract.

Status: Approved by the Assembly. Scheduled for a hearing in the Senate Insurance Committee on June 28th.

LLP Position: Support.

AB 1798 (Audie Bock, I—Oakland)

Purpose: To collaborate with Alameda County to implement a pilot program to fund clinics that provide screening and harm reduction services for HIV to also provide screening and harm reduction services for hepatitis.

Status: Died in the Assembly Appropriations Committee.

LLP Position: Support

AB 1955 (Carol Migden, D—San Francisco)

Purpose: To ask the federal government to provide funds for the design, establishment, and operation of a state program to offer medical assistance to workers with potentially severe disabilities.

Status: Approved by the Assembly and sent to the Senate Health and Human Services Committee for hearing on June 28th.

LLP Position: Support.

AB 2037 (Ellen Corbett, D—San Leandro)

Purpose: Existing law requires the State Department of Social Services to conduct a demonstration project to provide certain services to children, under the age of 37 months, who are alcohol or drug exposed or who are HIV-positive. This bill increases the age to 60 months.

Status: Approved by the Assembly and the Senate Health and Human Services Committee. Sent to the Senate Appropriations Committee. No hearing date set yet.

LLP Position: Support.

AB 2168 (Martin Gallegos, D—City of Industry)

Purpose: To require insurance providers to view HIV and AIDS as conditions or diseases that require treatment by a provider with demonstrated expertise in the treatment of these conditions.

Status: Approved by the Assembly and by the Senate Insurance Committee. Sent to the Senate Appropriations Committee. No hearing date set yet.

LLP Position: Support.

AB 2787 (Bill Leonard, R—Rancho Cucamonga)

Purpose: To authorize construction of a correctional facility designed to incarcerate inmates with special health needs due to advanced age or infection with HIV separate from the general prison population and which would address these inmate's needs in a manner consistent with department policy.

Status: Died in the Assembly.

LLP Position: Watch while we give the bill further study.

AB 2809 (Robert Pacheco, R—City of Industry)

Purpose: Existing law requires that a blood specimen be obtained from a pregnant woman before or at the time of delivery. The blood must be tested for blood type and the presence of hepatitis B. This bill would require the blood also be tested for the presence of HIV. A woman could refuse HIV testing if she has been determined to be chronically infected with HIV or if a medical professional explains the purpose of testing and the currently approved treatments. Proponents and opponents agreed to several good amendments to this bill prior to its being approved by the Assembly Health Committee. For example, the revised version requires that the woman give informed, written consent prior to HIV testing. However, the California Medical Association tried to amend some of the bad features of the bill again before the Health Committee vote. They failed at this time.

Status: Approved by the Assembly and sent to the Senate Health and Human Services Committee for hearing on June 28th.

LLP Position: Neutral.

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AJR 47 (Gil Cedillo, D-Los Angeles)

Purpose: To petition the President and the U.S. Congress to quickly reauthorize the Ryan White CARE Act to ensure resources are available to meet the expanding health care and social service needs of people living with HIV disease.

Status: Signed by the Governor.

LLP Position: Support.

SB 848 (John Vasconcellos, D-San Jose)

Purpose: To require the state Department of Health Services to establish a voluntary program for the issuance of identification cards to qualified patients and to establish procedures under which those patients may use marijuana for medical purposes.

Status: Passed the Senate. Is a two-year bill on the floor of the Assembly. No action on the bill is expected soon.

SB 1258 (Richard Polanco, D-Los Angeles)

Purpose: To require California to solicit approval from the federal government for California to provide Medi-Cal coverage to individuals who are HIV-positive, but who do not have AIDS. Current federal regulations limit the provision of Medi-Cal to people who have AIDS or who are otherwise disabled. Also directs the state to seek to make Medi-Cal managed care plans available to any person eligible for Medi-Cal through a share of cost.

Status: Passed by the Senate. Is a two-year bill in the Assembly Appropriations Committee. The author is negotiating with others to find changes in the bill needed to get enough votes to pass the bill. No votes on the bill expected until early June. This bill will probably die.

LLP Position: Support.

SB 2089 (Maurice Johannessen, R-Redding)

Purpose: To require that a physician recommending the use of marijuana to a patient keep very detailed records on the subject as specified. Its real purpose may be to discourage physicians from recommending the use of marijuana.

Status: The bill is dead.

LLP Position: Watch.

SB 2189 (Nell Soto, D-Ontario)

Purpose: To require the completion of a one-semester course in health education as a requirement for high school graduation.

Status: This bill is dead.

LLP Position: Support.

Lesbian/Gay/Bisexual/Transgendered Issues

AB 1785 (Antonio Villaraigosa, D-Los Angeles)

Purpose: To require school districts to report incidents of hate crimes in their schools and to establish procedures for doing so. Makes other changes to promote diversity in schools.

Status: Approved by the Assembly and sent to the Senate Education Committee for a hearing on July 5th.

LLP Position: Support.

AB 1809 (George Runner, R-Lancaster)

Purpose: To establish a statewide hate crimes registry and to require registry of those convicted of serious or violent felonies resulting in death or great bodily injury, certain sex crimes, hate-based crimes (including sexual orientation-based hate crimes), or a property crime against a religious institution resulting in more than \$5,000 in damage.

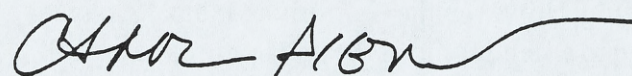
Status: Died in the Assembly.

LLP Position: Watch until we get further details. The author has not been a friend. Is a registry the best deterrent to hate crimes?

AB 1851 (John Longville, D-San Bernardino)

Purpose: To provide directions to California courts as to how to process petitions from post-operative transsexuals for recognition of their new sex and new, gender appropriate, name. Has been amended to require people from outside the state to live in California for six months before requesting recognition from California courts of their change of gender.

Status: Approved by the Assembly and sent to the



Carol Pierce, Ph.D.

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Senate. Passed by the Senate Judiciary Committee and sent to the Senate Appropriations Committee. No hearing date set yet.

LLP Position: Lambda Letters is a sponsor of the bill.

AB 1906 (John Longville, D-San Bernardino)

Purpose: To remove funding restrictions in the Education Code's Hate Violence Protection Act.

Status: Approved by the Assembly and the Senate Education Committee. Sent to Senate Appropriations Committee for a hearing on June 26th.

LLP Position: Support

AB 1931 (Jack Scott, D-Pasadena)

Purpose: To require school districts to report annually on the number of suspensions and recommendations for expulsions resulting from school hate crimes. Appropriates \$150,000 for training to assist school district staff in identification of hate crimes. Provides \$2 million for student and teacher training focused on overcoming prejudice, countering hatred, and fostering ethnic sensitivity.

Status: Passed the Assembly and by the Senate Education Committee. Sent to the Senate Appropriations Committee. No hearing date set yet.

LLP Position: Support.

AB 1990 (Gloria Romero, D-Monterey Park)

Purpose: To grant domestic partners the right to make medical decisions for their partners if the partner is in a health facility and incapable of giving informed consent to recommended treatment.

Status: Dropped by author. Several of its features were added to AB 2047.

LLP Position: Support.

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AB 2000 (Antonio Villaraigosa, D-Los Angeles)

Purpose: To establish the California Commission on Human Relations in the Department of Fair Employment and Housing (DFEH) to make policy recommendations to the Governor and the Legislature regarding the collection, dissemination of information, standards, and guidelines for local human relations commissions; appropriates \$150,000 to establish the commission.

Status: Approved by the Assembly and sent to the Senate Governmental Organization Committee for a hearing on June 27th.

LLP Position: Support.

AB 2047 (Darrell Steinberg, D-Sacramento)

Purpose: Radically changed. This bill now expands the effect of registering as a domestic partner in California to any provision of law referring to domestic partners, allowing domestic partners to request an autopsy of their partner, to make medical treatment decisions for a partner in certain circumstances, to get preference when his or her partner needs a court-appointed conservator, to inherit from a partner who dies without a will. The bill revises the statutory will form to allow people to name their domestic partners as beneficiaries.

Status: Was approved by the Assembly but then radically amended and sent back to the Assembly Appropriations Committee. The June 2nd deadline for getting it out of its house of origin was waived. It is still alive.

LLP Position: Support.

AB 2142 (Fred Keeley, D-Santa Cruz)

Purpose: To amend the California Fair Employment and Housing Act to prohibit employment and housing discrimination based on actual or perceived gender.

Status: Was approved by the Assembly and sent to the Senate. Will be heard in Senate Judiciary Committee, probably on June 27th.

LLP Position: Support. We are a cosponsor of the bill.

AB 2211 (Sheila Kuehl, D-Encino)

Purpose: To allow domestic partners the right to decide whether to have an autopsy performed, and make funeral arrangements after the death of a domestic partner, the right to sue for wrongful death and negligent infliction of emotional distress of a partner, and to allow reciprocity of registry from other jurisdictions.

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July Legislative Update

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Status: Died in the Assembly. Some of its features were added to AB 2047 (above).

LLP Position: Support.

AB 2418 (Carole Migden, D–San Francisco)

Purpose: To prohibit an attorney from excusing a person from a jury simply because the person is a member of a particular racial, religious, ethnic, sexual orientation, or gender group, or on similar grounds.

Status: Passed and sent to the Governor for signature or veto. He must decide by June 28th.

LLP Position: Support.

AB 2421 (Carole Midgen, D–San Francisco)

Purpose: The purpose of this bill was radically changed. It now states that only one member of opposite-gender couples needs to be over 62 for them to register with the state as domestic partners.

Status: Was approved by the Assembly Judiciary Committee and sent to the Assembly Appropriations Committee. No hearing date set yet.

LLP Position: Support.

AB 2609 (Wally Knox, D–Los Angeles)

Purpose: Changed to establish peer training programs for public school teachers.

Status: Approved by the Assembly. Will be heard in the Senate Education Committee on June 28th. No longer relates to one of our issue areas. Will be removed in the next revision of this list.

LLP Position: Neutral.

SB 118 (Tom Hayden, D–Los Angeles)

Purpose: To require employers to grant family and medical leave to employees who need to care for their domestic partners.

Status: Passed by the Senate and the Assembly. Vetoed by the Governor.

LLP Position: Support.

SB 1173 (John Vasconcellos, D–San Jose)

Purpose: To allow courts to grant reasonable child visitation rights to de facto parents, including domestic partners, in cases where the parents of a child have separated.

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July Legislative Update

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Status: Passed the Senate and by the Assembly Judiciary Committee. Sent to the Assembly Appropriations Committee. No hearing date set yet.

LLP Position: Watch. There is some concern this might be used against biological mothers.

SB 1329 (Betty Karnette, D—Long Beach)

Purpose: To require the State Department of Motor Vehicles to establish a special interest license program. The bill had required that organizations which receive funds generated by the plates must not discriminate in their employment practices on the basis of race, gender, nationality, religion, political party affiliation, or sexual orientation. However, the author dropped this feature from the bill under pressure from the Governor. This changes our position on the bill from support to neutral. Will be dropped from next version of this list because it no longer relates to one of our issue areas.

Status: Passed by Senate and by the Assembly Transportation Committee. Sent to the Assembly Appropriations Committee for a hearing on June 28th.

LLP Position: Neutral.

SB 1366 (Dick Monteith, R—Modesto)

Purpose: To direct the issuance of special license plates commemorating the Boy Scouts and directing that proceeds from the sale of these license plates go to the Boy Scouts.

Status: Died in the Assembly.

LLP Position: Oppose. This organization discriminates on the basis of sexual orientation.

SB 1489 (Tom Hayden, D—Los Angeles)

Purpose: The purpose of this bill has been changed to cover the use of pepper spray by police. It no longer relates to one of our issue areas, so it will be dropped

in the next revision of this report.

Status: Was approved by the Senate and by the Assembly Public Safety Committee. Sent to the Assembly Appropriations Committee for a hearing on June 28th.

LLP Position: Neutral.

SB 1569 (Tom Hayden, D—Los Angeles)

Purpose: To declare legislative intent to expand the definition of hate crimes to include those persons who are victimized based upon their association with other people of a specific race, religion, or sexual orientation.

Status: Died in the Senate.

LLP Position: Support.

SB 2025 (John Burton, D—San Francisco)

Purpose: To incorporate all the provisions of the Fair Employment and Housing Act (FEHA) into the State Civil Service Act, this providing the protections of FEHA (including protections from sexual orientation-based discrimination) to state employees.

Status: Was approved by the Senate and by the Assembly Public Employee Retirement System Committee. Sent to the Assembly Appropriations Committee for a hearing on June 28th.

LLP Position: Support.

People of Color Issues

AB 52 (Gil Cedillo, D—Los Angeles)

Purpose: Changed to a bill about boxing regulations. It no longer fits any of our issue areas. Will be dropped from the next version of this list.

Status: Passed the Assembly and all necessary Senate committees. Awaiting a vote on the Senate floor.

Author negotiating with the Governor to resolve differences.

LLP Position: Support.

AB 2417 (Marco Firebaugh, D—Huntington Park)

Purpose: To extend eligibility of legal immigrants for food and cash assistance beyond the current September 30th cutoff date.

Status: Passed by the Assembly. Sent to the Senate Health and Human Services Committee for hearing on June 28th.

LLP Position: Support.

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July Legislative Update

Continued from page 11

SB 66 (Kevin Murray, D-Los Angeles)

Purpose: To require every peace officer in the state to receive training on racial profiling. Outlaws the practice. Requires peace officers to provide business cards to people stopped for alleged traffic violations. The business card feature was added when the Governor forced Senator Murray to drop SB 1389 (below).

Status: Passed the Senate and by the Assembly Public Safety Committee. Sent to the Assembly Appropriations Committee. May be heard on June 28th.

LLP Position: Support.

SB 984 (Richard Polanco, D-Los Angeles)

Purpose: To establish March 31st as Cesar Chavez Day and to designate the date as a paid holiday for state employees. Requires public schools to teach about Cesar Chavez.

Status: Has passed the Senate and the relevant Assembly Policy Committee. Is in the Assembly Appropriations Committee's suspense file. No hearing date set yet.

LLP Position: Support.

SB 1326 (Tom Hayden, D-Los Angeles)

Purpose: Purpose changed to require the State Department of Education to report on amount of diversity training occurring in public schools. Community Colleges are required to report on the number of hate crimes occurring on their campuses.

Status: Was approved by the Senate and by the Assembly Education Committee. Sent to the Assembly Appropriations Committee. No hearing date set yet.

LLP Position: Support.

SB 1364 (Patrick Johnston, D-Stockton)

Purpose: Current law prohibits health care professionals and organizations from releasing the results of

genetic testing to a third party without the prior written consent of the person tested. This bill stipulates that the prohibition also applies to genetic traits in which the person is asymptomatic for the disease which might result from a genetic trait. Also requires the state to set standards for those who care for patients with illnesses relating to the genetic trait.

Status: Passed by the Assembly Health Committee. Sent to Assembly Appropriations. No hearing date set yet.

LLP Position: Support.

SB 1389 (Kevin Murray, D-Los Angeles)

Purpose: To require state and local police forces to gather and report data about traffic stops by police officers, including the race or ethnicity of the persons stopped.

Status: Died in Senate.

LLP Position: Support.

S.B. 1898 (Hilda Solis, D-El Monte)

Purpose: To establish a program to increase the percentage of students transferring from California's community colleges to four-year colleges or universities.

Status: Approved by the Senate and by the Assembly Higher Education Committee. Sent to the Assembly Appropriations Committee for hearing on June 28th.

LLP Position: Support.

Women's Issues

AB 40 (Howard Wayne, D-San Diego)

Purpose: To establish the Breast Cancer Treatment Program for purposes of providing breast cancer treatment services to uninsured and underinsured women with incomes at or below 200 percent of the federal poverty level. Also to require the State Department of Health Services to administer the program only when the Legislature has appropriated funds for the program.

Status: Passed by the Assembly. Is in the suspense file of the Senate Appropriations Committee. Probably will be heard on September 1st.

LLP Position: Support.

AB 398 (Carole Migden, D-San Francisco)

Purpose: To authorize the sale of bonds to provide funds for government-backed affordable housing.



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July Legislative Update

Continued from page 12

Status: Is in the Senate Housing and Community Development Committee. May be heard on July 5th. However, the bill may not be needed because the Governor added \$575 million to his budget for low-income housing.

LLP Position: Support.

AB 525 (Sheila Kuehl, D-Encino)

Purpose: To require hospitals and disability plans to advise potential customers that they may want to request information about reproductive services provided by the plan before signing up with it.

Status: Passed by the Senate Health and Human Services Committee. Sent to Senate Appropriations Committee. No hearing date set yet.

LLP Position: Support.

AB 908 (Elaine White Alquist, D-Santa Clara)

Purpose: To establish a gender-equity train-the-trainer grant program for the award of grants from funds available for that purpose to the governing boards of

school districts and county offices of education. The bill would require the Superintendent of Public Instruction to develop criteria for the grant applications and to select grant recipients. The purpose of the program would be to train public school teachers in gender-equity education.

Status: Passed the Assembly and the Senate education committee. In the Senate Appropriations Committee for a hearing on June 26th.

LLP Position: Support.

AB 1814 (Ted Lempert, D-Palo Alto)

Purpose: To provide that mothers who are breast feeding their children be exempt from jury duty until they stop breast feeding their children.

Status: Was passed by the Assembly and the Senate Judiciary Committee. Sent to Senate Appropriations Committee. No hearing date set yet.

LLP Position: Support.

AB 1856 (Sheila Kuehl, D-Encino)

Purpose: To make non-owner, non-supervisory employees liable for harassment of coworkers on the basis of race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, marital status, sex, age, or sexual orientation. Introduced to reverse a State Supreme Court decision that said such harassment by owners or supervisors is prohibited by law, but not harassment by coworkers.

Status: Approved by the Assembly and sent to the Senate Industrial Relations Committee for a hearing on June 28th. Double referred to the Senate Judiciary Committee.

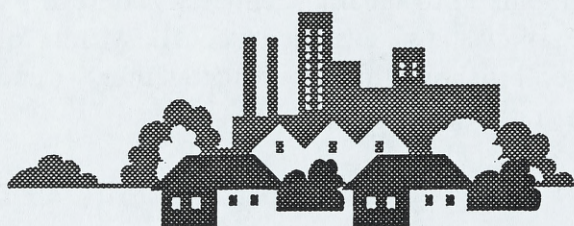
LLP Position: Support.

AB 2038 (Elaine White Alquist, D-Santa Clara)

Purpose: To require a grantee, in conducting or supporting a project of clinical research, to ensure that women of all ages and members of minority groups are included as subjects in the clinical research projects.

Status: Approved by the Assembly and by the Senate Health and Human Services Committee. Sent to the Senate Appropriations Committee for a hearing on June 26th.

LLP Position: Support.



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July Legislative Update

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AB 2108 (Carole Migden, D-San Francisco)

Purpose: To require that all terminally-ill female inmates receiving hospice care in the Central Women's Facility receive a standard of care similar to the treatment given to male inmates at the state prison facility in Vacaville.

Status: Passed by the Assembly and all necessary Senate Committees. Awaiting a final vote on the Senate floor.

LLP Position: Support.

AB 2357 (Mike Honda, D-San Jose)

Purpose: To require employers to grant a victim of domestic abuse up to 15 days of unpaid leave in a twelve-month period so the employee can seek legal assistance, counseling, assistance from a domestic violence shelter, etc. to deal with the domestic violence.

Status: Approved by the Assembly and sent to the Senate Industrial Relations Committee for hearing on June 28th.

LLP Position: Support.

SB 193 (Richard Polanco, D-Los Angeles)

Purpose: Existing law provides for the Breast Cancer Research Account in the Breast Cancer Fund. Ninety percent of the moneys in the Breast Cancer Research Account is allocated to the Breast Cancer Research Program created at the University of California. This bill would require the State Department of Health Services to offer for sale breast cancer license plates to be sold at a price determined by the department, with the proceeds to be deposited into the Breast Cancer Research Account in the Breast Cancer Fund.

Status: Was passed by the Senate and sent to the Assembly. Is in the Assembly Appropriations Committee for a hearing on June 28th.

LLP Position: Support.

SB 1154 (Jackie Speier, D-Daly City)

Purpose: To enact the California Breast and Gynecological Cancer Treatment Program, administered by the Managed Risk Medical Insurance Board, to provide treatment services to low-income, underinsured women.

Status: Passed the Senate and its Assembly policy committee. Senator Speier is negotiating with the

Transgender Rights Advance

In May, GENDERPAC, a transgender civil rights organization, held its fifth annual lobbying day at the US Congress. When they were done, they announced that 44 members of Congress had agreed to amend their office's equal employment opportunity (EEO) policies to prohibit discrimination against transgendered people. The list included three senators and forty-one members of the House of Representatives. Four of them were from California: Reps. Brian P. Bilbray (R-San Diego), Barbara Lee (D-Oakland), Zoe Lofgren (D-San Jose), and Woolsey (D-Petaluma).

Most of the credit goes to GENDERPAC and its volunteers. However, Lambda Letters and its members helped too. In January, Lambda Letters issued an alert asking people to e-mail their members of the House of Representatives to amend their offices' EEO policies to protect transgendered people. We sent over 2,100 messages to the California delegation in Congress.

In April, Lambda Letters member Delores Dickerson followed up with calls to every member of the House of Representatives from California. She urged the members to add transgendered people to their EEO policy and asked if they would be willing to do so. All of this shows that, working together, we can make amazing progress.

Governor's office seeking his support. Is in the Assembly Appropriations Committee. No hearing date set yet.

LLP Position: Support

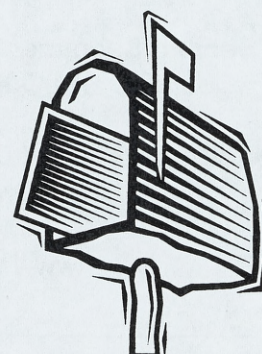
SB 1432 (Deirdre Alpert, D-San Diego)

Purpose: To allow employers to investigate alleged acts of unlawful harassment of one employee by another. The investigation may include consultation with a licensed private investigator or with persons qualified in human resource management.

Status: This bill has died.

LLP Position: Support.

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Is LLP Too Partisan?

by Boyce Hinman, Administrator

Recently the Lambda Letters Project issued a press release that harshly criticized Governor Davis. This and previous issues of our newsletter contain articles that criticize the Governor and Democratic legislators. You might well wonder if Lambda Letters has become too partisan. Ultimately, you must decide for yourself. However, here are the reasons for our words and actions.

Support for the Democratic party is widespread in the LGBT community. Voting for Democrats is virtually a knee-jerk reaction in our community. This allows Democrats to take us for granted. They may assume they have our vote whatever they do.

LGBT support for the Democrats results from the widespread perception that Democrats are far more gay-friendly than Republicans. Frankly, that's true. For example, in last year's Lambda Letters Legislative Score Card the average score for Democrats in the Assembly was 90. The average score for Republicans was 13. Why would one criticize elected officials in the first place? Presumably to persuade them to do better. The above scores suggest that most Republicans are beyond persuasion.

Although the Democrats have been doing much better, they are slipping. President Clinton developed the concept of centrist Democrats. Under this concept the Democratic party is moving from the left towards the center of the political spectrum. They hope this will win over the moderates on the right and ensure Democratic victory at the ballot box. This move means reducing support of the concerns of many of the disenfranchised, such as the LGBT community, people of color, etc.

Governor Davis adopted the same strategy in his election campaign and in his actions as Governor. Now centrist Robert M. Hertzberg (D-Van Nuys) has replaced the more liberal Antonio Villaraigosa (D-Los Angeles) as Speaker of the California Assembly. As a result, a number of legislative priorities of the LGBT community, of African Americans, and of others have been vetoed, defeated in the legislature, or greatly watered down. This is an alarming trend. Should the LGBT community remain silent in the presence of these trends? To do so simply reinforces the concept that Democrats can do whatever they please without fear of losing our support. ###

History Speaks

Continued from page 1

That movement eventually overturned this nation's segregation laws.

Success in the drive for a woman's right to vote in this country resulted, in large part, from the tireless efforts of two women: Susan B. Anthony and Elizabeth Cady Stanton. Anthony was a simple Quaker from Pennsylvania and Stanton was a housewife from Massachusetts. They and many thousands of ordinary women and their supporters eventually persuaded this nation's leaders to propose a constitutional amendment giving women the right to vote.

So what are the lessons of history? First of all, the opinion polls are right. We have mediocre political leaders because most Americans are happy with them and their policies. The Rosa Parks, Dr. Kings, and Susan B. Anthonys of this world reached their goals by persuading a majority of Americans to support them. We in the LGBT community must do the same.

The next lesson is that we can do this. Ordinary people working together, and never giving up, can change the world. Remember, none of the leaders of the civil rights and women's suffrage movements were powerful political leaders.

The third lesson is that we must be demanding of our political leaders. In England the women's suffrage movement depended heavily on the ruling Liberal Party to grant women the right to vote. The Liberals for years said, "We support you, but the time isn't right yet." Sound familiar? We hear that often from our political leaders. In England change finally occurred when the women's movement abandoned the Liberal party and became much more militant.

The fourth lesson is that we must demand much even from the leaders of our own community. The drive for women's suffrage in this nation was greatly slowed by some leaders of the suffrage movement who thought Anthony and Stanton were pushing too hard, too fast. At one point the leading women's suffrage group actually censured Stanton for this reason. In general, elected officials will do as little as possible. We must not let them off the hook. We must not let our own leaders let them off the hook.

Finally, the most fundamental lesson to be learned is that you are the most powerful engine of change. When you, and countless others like you, demand change, change will occur. Are you ready to make your voice heard? ###

Breast Cancer Stamp: A Response

by Diane de Lara, Program Coordinator, Breast Cancer Action

Dear Lambda Letters:

I've been meaning to write ever since I saw your article on breast cancer research and the DOD [Department of Defense]. Breast Cancer Action (BCA) generally supports the stamps, yet we do have misgivings about where the money is going. Contrary to what you might think, it is not the DOD money we take issue with, but rather the money directed to the National Institutes of Health (NIH).

Strange as it may seem, the DOD runs a highly respected program on breast cancer. Back in the early nineties when Congress was cutting the budget of every last thing but defense, Senator Tom Harkin, who had a personal connection to breast cancer in his family, decided that the best way to get funding for breast cancer was to create a program within the Department of Defense. The DOD breast cancer research program has a separate accounting system, and funds from the stamp do not go to the DOD's general fund. The DOD program is actually one of the better-run programs, in that it is heavily influenced by patient advocates. They recruit women living with the disease to sit on their integration policy-setting committee, and consistently have a good amount of advocates to balance out the bureaucrats. Nothing can happen without the integration committee's approval, and so the work done through the DOD program tends to be pretty good.

So, we have no problem with the 30 percent of stamp funds going to the DOD. However, we *do* have a problem with the money going to the NIH. The NIH has made it clear that the funds directed to them go directly to the National Cancer Institute (NCI).

The NCI tends to fund the same type of research they've been doing for the past thirty years and has not, in our opinion, put enough attention on the need to look into the environmental links to breast cancer. Their research on "the environment" tends to be on personal environment, i.e. diet, smoking, and alcohol. We'd rather see research into the growing numbers of chemicals being released into our air, water, and soil. At the same time, the NCI's research into "prevention" focuses on pills that may reduce the risk of breast

cancer but cannot prevent cancer from occurring (and in some cases actually increase the risk for other cancers, such as tamoxifen which increases the risk for endometrial cancer). The only way to prevent cancer is to find the causes and to eliminate them.

So BCA actually encourages the stamp funds to go the National Institute for Environmental Health Sciences (NIEHS) and *not* the NCI. The NIEHS is mandated to do research into the environment and has always been vastly underfunded compared to the NCI. In 1999, the NIEHS received only 2 percent of the \$15.6 billion budget of the NIH. We have written a letter to Senator Feinstein (the author of the stamp legislation) encouraging her to change the way the funds are distributed. If you'd like a copy of that letter I'd be more than happy to forward it to you.

Thanks for your great newsletter and your work to educate people and help them become activists on the many important issues you cover. As you can see, the politics behind breast cancer is a complex matter that deserves the attention of concerned people like you. And it will take the efforts of all of us to make the fundamental changes necessary to truly end this epidemic.

Please feel free to contact me if you have any questions.

Warm Regards,

Diane de Lara
Program Coordinator
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